



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JMK:AES
F. #2014R00501

271 Cadman Plaza East
Brooklyn, New York 11201

April 19, 2017

By ECF and FedEx

Benjamin Brafman, Esq.
Marc Agnifilo, Esq.
Andrea Zellan, Esq.
Brafman & Associates, P.C.
767 Third Avenue, 26th Floor
New York, New York 10017

Reed Brodsky, Esq.
Lisa Rubin, Esq.
Winston Chan, Esq.
Gibson Dunn
200 Park Avenue
New York, NY 10166-0193

Re: United States v. Martin Shkreli, et al.
Criminal Docket No. 15-637 (KAM)

Dear Counsel:

In accordance with Rule 16 of the Federal Rules of Criminal Procedure, the government hereby furnishes discovery with respect to the above-referenced matter. This disclosure supplements the government's earlier disclosure under cover of letters dated December 22, 2015, January 15, 2016, March 16, 2016 (Greebel), March 25, 2016 (Shkreli), April 28, 2016, June 2, 2016, June 15, 2016, July 19, 2016, August 5, 2016, September 22, 2016, December 14, 2016 and February 8, 2017. In addition, this disclosure is governed by the stipulations so ordered by the Court between the government and defendants (filed as Dkt. Nos. 44 and 47).

Enclosed is a DVD with the following materials:

| Description | Bates Range or File Name |
|---|-----------------------------------|
| Records (invoices and time records for the MSMB entities) received from Katten Muchin Rosenmann LLP | KAT_USAO_0000001-175 ¹ |

¹ It is the government's understanding that these records were previously produced by Katten directly to the defendants in December 2016.

| Description | Bates Range or File Name |
|---|--|
| Bluesheet data for Retrophin (RTRX) for November 14, 2012 to September 19, 2014 | Files located in a folder titled “RTRX Bluesheets 11142012 to 09192014” |
| Testimony of defendant Shkreli before the Securities and Exchange Commission (“SEC”) on October 12, 2011 ² | SHKRELI000299-356 |
| Exhibits to testimony of defendant Shkreli before the SEC on October 12, 2011; August 7, 2013; and February 24, 2014 | Files located in folders named “Shkreli 2011 SEC Testimony Exhs 1-9” and “Shkreli 2013-2014 Testimony Exhs 1 to 40” |
| Records received from the SEC, which were provided to the SEC by MSMB Capital in response to an August 2011 subpoena | MSMBC00000001-3822 |
| Notes of call between defendant Shkreli and the SEC on January 5, 2017 | SHKRELI000357 |
| Native versions of records received from NAV Consulting ³ | NAV0000547 – 1895 (files related to MSMB Consumer) NAV0001896 – 4357 (files related to MSMB Healthcare) NAV0004358 – 5382 (files related to MSMB Consumer) |

² The government previously produced defendant Shkreli’s testimony before the SEC on August 7, 2013 and February 24, 2014 to defendant Shkreli (as SHKRELI00026-273); the government is now producing that testimony to defendant Greebel.

³ These records were previously produced on January 15, 2016; however, the native versions of these files (Word, Excel and .jpg files) were not included with the production.

Please note that these materials are encrypted; the government will provide passwords under separate cover.

Very truly yours,

BRIDGET M. ROHDE
Acting United States Attorney
Eastern District of New York

By: /s/ Alixandra Smith
Jacquelyn Kasulis
Alixandra Smith
G. Karthik Srinivasan
Assistant U.S. Attorneys
(718) 254-7000

Enclosure

cc: Clerk of the Court (KAM) (via ECF) (w/o enclosure)